THE HON'BLE MR. JUSTICE V.V.S. RAO

FRIDAY, THE 30TH DAY OF DECEMBER, 2005

W.P.No. 27832 of 2005

Between:-

Kanukunta Ambedkar Nagar, Sankeshama Sangam (Regd. No. 347/05), Kanukunta, Ramachandrapuram (M), Medak districdt, rep., by S. Srinivas Rao, general Secretary and Social worker.

--Petitioner

And

The District Collector, Medak at Sangareddy and three others.

--Respondents

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:O R D E R:

Kanukunta Ambedkar Sankshema Sangam, Kanukunta, a registered society, seeks a writ of Mandamus to direct the respondent Nos. 1 to 3 not to handover the land ad-measuring Ac. 01-02 gts., in survey No. 213/2 and 214 /2 situated at Kanukunta to the fourth respondent. It is their case that the land in the said survey numbers is 'shikam land' and the same has not been so far converted into Ayon (assessed waste) and, therefore, the same cannot be assigned to anybody. They also further alleged that the government of Andhra Pradesh is likely to issue a notification to acquire the land in question for the purpose of widening the road in order to help the fourth respondent to claim compensation illegally.

At the stage of admission itself, after obtaining instructions, learned Assistant Government Pleader for Revenue (General) submits that the land was already assigned in 1965 in favour of the fourth respondent mistakenly and that necessary steps are being initiated to resume the land to the government after following due process of law. In view of this, the writ petition must have been filed on a factual foundation, which is not sound. The land was already assigned to the fourth respondent and when the respondent Nos. 1 to 3 are about to take steps to resume the land, the present writ petition is filed.

Accordingly, the writ petition, recording the submission of the learned Assistant Government Pleader, is dismissed. No costs.

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V.V.S. RAO, J

30-12-2005

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